

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

PRISCILLA ANN VAN HOOSIER,

:
Case No. 3:12-CV-084

Plaintiff,

District Judge Timothy S. Black
Magistrate Judge Michael R. Merz

-vs-

COMMISSIONER OF SOCIAL SECURITY,

Defendant. :

ORDER

This case is before the Court *sua sponte* to inquire into service of process. Plaintiff is proceeding *in forma pauperis* and *pro se*. She filed this case on March 19, 2012 (Complaint, Doc. No. 1). Therefore under Fed. R. Civ. P. 4(m), she is required to complete service of process not later than July 17, 2012. Summons were issued by the Clerk on March 19, 2012, to the Commissioner of Social Security, the United States Attorney General, the Office of General Counsel for the Commissioner, and the United States Attorney (Doc. No. 3). The Clerk then directed Plaintiff to complete and return Marshal 185 forms for service. When the Plaintiff did so, the Summons and 185 forms were delivered to the Marshal on March 28, 2012.

On May 22, 2012, the Marshal made return of service (Doc. No. 4). Although the docket reflects only service on the Commissioner, there are four filed Marshal 185 forms, reflecting intended service of all four Summons as issued. However, the U.S. Postal Service “green cards” receipting for service include one card each for the General Counsel and Attorney General, two

cards for the Commissioner, and none for the United States Attorney. The green cards addressed to the Commissioner of SSA at the Altmeyer Building in Baltimore show two separate article numbers, 7011 2000 0001 8698 8269 and 7011 2000 0001 8698 9006.

A plaintiff proceeding *in forma pauperis* is entitled to have service made by the United States Marshal. However, all litigants must properly prepare their own summons. S. D. Ohio Civ. R. 4.1.1. If a party elects to have service made by certified mail, the party is responsible for accurately completing the green cards. S. D. Ohio Civ. R. 4.2.

In this case the Court finds that service is not yet complete because the United States Attorney has not been served. To obtain that service by certified mail through the United States Marshal, the Plaintiff must prepare a new Summons for the U.S. Attorney and present it to the Clerk for issuance along with a new Marshal 185 form and certified mail envelope addressed to the U.S. Attorney at 185 Marconia Boulevard.

Plaintiff's time to accomplish service of process is extended by the Court, *sua sponte*, to and including August 15, 2012.

July 7, 2012.

s/ *Michael P. Merx*
United States Magistrate Judge